

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JULIE TATUM and VINCE BRACCILI,	:	CIVIL ACTION
<i>Plaintiffs,</i>	:	
	:	
v.	:	
	:	
	:	
PROGRESSIVE INSURANCE CO.,	:	
<i>Defendant.</i>	:	NO. 24-cv-02086

**ORDER**

AND NOW, this **12th day of July 2024**, upon consideration of Defendant's Motion to Dismiss (ECF No. 12), Plaintiffs' Response (ECF No. 13), Defendant's Reply (ECF No. 16), and Plaintiffs' Sur-Reply (ECF No. 17) and for the reasons stated in the accompanying memorandum, it is hereby **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART**. The Motion (ECF No. 12) is **GRANTED** as to Counts III, IV, V, and VI, and **DENIED** as to Counts II and IX.

It is further **ORDERED** that a responsive pleading to the Complaint (ECF No. 1) is due on or before **July 26, 2024**.

BY THE COURT:

/s/ **Chad F. Kenney**

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**CHAD F. KENNEY, JUDGE**